

Permanent Waiver Petition

Office of the Secretary
Federal Communications Commission
Attention: Disability Rights Office, Room 3-B431
445 12th Street, SW
Washington, DC 20554

Received & Inspected

FEB 27 2012

FCC Mail Room

Re: Petition for Exemption from Closed Captioning Requirements
CG Docket No. 06-181, CGB-CC-_____

Introduction

Brown's Chapel A.M.E. Zion Church was founded in 1894 in the Cedar Grove community in Elizabethton, TN. The present structure was built in 1956 and sits on the corner of Church St. and Cedar Ave. in Elizabethton, TN. The church has a rich heritage and is well respected in the Douglas Community. It is very small in number with less than 25 members but strong in faith in the Lord.

The program represented by it's members is called "Joyful Noise" and is a faith based program, airing since 2009, and focuses on Christian and Gospel music from local artists. It's designed to help promote the gospel of Jesus Christ through Christian artists of all denominations and styles of music. It tells the story of Christ through music, visually creative videos and heartwarming stories and testimonials for people to witness throughout the Mountain Empire region.

Each episode is 30 minutes and each new season last 10 weeks. It airs Saturdays at 8pm on CW4 Tri-Cities with the new beginning Feb. 25th thru April 28th. It is produced by me with some occasional help from my wife and volunteers.

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The show can reach the Tri-Cities viewing area of nearly 300,000 people. "Joyful Noise is very diverse and appeals to all races and genders.

Providing captioning for this program would result in significant difficulty or expense. Thus, for the reasons set forth below,

Brown's Chapel A.M.E. Zion Church hereby requests an economically burdensome" exemption from the closed captioning rules

for "Joyful Noise", pursuant to § 79.1(f) of the Commission's rules.

Nature and Cost of Closed Captions

Closed captioning is extremely too expensive for us. It cost almost 3 times the amount of air time which is a bit ridiculous.

"Joyful Noise" is a music show with a lot of visual images that tells stories in the videos. The message can still be seen and told by the images

alone. Graphics and titles are provided on screen for each guest. I pleaded through my sales rep, Rachael Clement, to ask her station

managers to possibly waive the cost or even lower the cost to anything close to fair price and we were denied. We ran on their local FOX

channel a few years ago but had to pull the show off due to the extreme cost of close captioning. At that time, we were fortunate to air

our program on CW4 before the new close captioning rules took affect. We have a few sponsors but not enough funds were raised to

afford the price of close captioning. The station should have a system or device that automatically creates close captioning while the program

plays live but unfortunately they claim to not have the capabilities.

Impact on the Operation of the Program Provider

Paying for close captioning would cause us to pull "Joyful Noise" off the air due to the expense. Coming from a very small church it is hard enough to keep up with the bills and other obligations to the organizations conference. The cost per episode varies from \$100 - \$200 per episode depending on the price that is offered to us each season. The cost to have close caption added to a show is \$250 per episode. For this season we were blessed to lock in a rate of \$100 so that would increase the cost a 150%.

Financial Resources of the Program Provider

Brown's Chapel Church has had a financial hardship for years and it's a blessing to the members and community to still have it's doors open. I have a video production business and I take a lot of burden off my church by sponsoring the show with my business. I love what I do and I give through the talents God has given me so my church does not have to suffer while trying provide an outreach ministry through television. The show is not designed for profit but is funded to provide another avenue to help spread the gospel of Jesus Christ.

I'm just a small business owner doing my best to help my church and others by providing positive programming to the community that could help change someone's life.

Type of Operations of the Program Provider

This show is not to make a profit but is used as an outreach program and with the power of television it makes it a whole lot easier to get a positive message out to potentially 300,000 viewers. The church's major operation is to spread the word of Christ

and television is an awesome way to get it down. Even though Brown's Chapel is an A.M.E. Zion church and denomination it is now able to do things and reach people in a way it could never do without television.

Conclusion

As shown by this Petition and its attachments, the Commission should grant a waiver of the closed captioning requirements in this case, because requiring closed captioning would be economically burdensome. The costs of captioning would be excessively high and would have a significant impact on Petitioner's operations, undermining its ability to provide the program. The Petitioner's type of operations and financial resources are different in kind and magnitude from a mainstream programming provider. Because of the significant difficulty and expense of providing closed captions, a waiver under § 79.1(f) is warranted. If more information is needed, please contact me at the address provided below.

Respectfully submitted,

Brown's Chapel Church

By:



Chris Reddick, Director of Media
706 S. Lynn Ave Elizabethton, TN 37643
423-747-4776
Fax. N/A

Dated: 2/22/12

5.

STATE OF Tennessee
Carter COUNTY

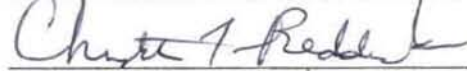
ss.:

AFFIDAVIT OF Chris Reddick

I, Chris Reddick, being first duly sworn, depose and state:

1. I am the Dir. of Media at Brown's Chapel A.M.E Zion Church, a church in Elizabethton, TN. I am over the age of 21.
2. I have reviewed the Petition for Exemption for Closed Captioning Requirements filed on behalf of Brown's Chapel A.M.E Zion Church, and, upon information and belief, believe the statements regarding our organization and Joyful Noise to be true and accurate.


FURTHER AFFIANT SAYETH NOT.



Chris Reddick



SUBSCRIBED TO AND SWORN
before me this 22 day of Feb., 2012.


Notary Public

My Commission expires: 03/16/14